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Division of Codes and Standards
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Richard E. Constable III
Commissioner

BULLETIN NO.

98-3

Date: **July 1998** Subject: **Health Care Facilities Plan Review**
Revised: **December 2013**

Reference: N.J.A.C. 5:23-3.11(a)8
N.J.A.C. 5:27A-2.2

The Department of Community Affairs (DCA), Health Facilities Plan Review Unit is constituted as the sole plan review agency for the administration and enforcement of Federal and State standards applicable to the construction, alteration, demolition, or maintenance of health care facilities.

As noted in N.J.A.C. 5:23-1.4, a Health Care Facility is defined as follows:

A “facility or institution, whether public or private, engaged principally in providing services for health maintenance organizations, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including but not limited to a general hospital, special hospital, mental hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home, intermediate care facility, tuberculosis hospital, chronic disease hospital, maternity hospital, outpatient clinic, dispensary, home health care agency, home for the sheltered care of adult persons, and bioanalytical laboratory or central services facility serving one or more such institutions”

The following facilities are excluded from the definition: institutions that provide healing solely by prayer, staff housing or administrative office(s) that are located in buildings separated from the health care facility by a fire wall or fire separation distance in accordance with the Building Subcode, parking garages, and other facilities for which the Federal Government does not impose standards as a condition of funding.

Because the noted facility types may fall into one of several group classifications (I-1, I-2, I-4, or B), group classification should not be the only factor used to determine the appropriate agency having jurisdiction for plan review.

The elements that are common to all health care facilities are: the requirement that they be licensed by the New Jersey Department of Health (DOH), and that they meet Federal as well as State standards for participation in the Medicare/Medicaid Reimbursement Program.*

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The construction official should require certification from the owner or owner's representative as to the status of DOH licensing. If a DOH license is required, the plans must be sent to the DCA for review. The municipality may review all projects that do not require DOH licensing.*

The following lists examples of health care facilities and their associated group classifications that must be reviewed by the DCA:

- B** Outpatient Surgical Centers
Hospital off-site Outpatient Physical Therapy Facilities
Chronic Renal Dialysis Facilities
Birthing Centers
Outpatient Clinics
Hospital off-site Mental Health Clinics
Drug Treatment Centers
Alcohol Treatment Centers
Termination of Pregnancy Centers
MRI and CT & PET Scan Facilities
Extracorporeal Shockwave Lithotripsy
Infusion Therapy Services
Sleep Centers
Hyperbaric Medicine Services
Comprehensive Outpatient Rehabilitation Services
- I-1** Pediatric Community Transitional Homes
Residential Health Care Facilities licensed pursuant to N.J.A.C. 5:27A*
- I-2** Acute Care Hospitals
Psychiatric Hospitals
Rehabilitation Hospitals
Long-Term Acute Care Hospitals
Long-Term Care Facilities (Nursing Homes)
Intermediate Care Facilities
Assisted Living Residences
Comprehensive Personal Care Homes
- I-4** Adult Medical Day Care Facilities
Pediatric Medical Day Care Facilities

* Under Governor's Reorganization Plan 002-2005, licensing of Residential Health Care Facilities was moved from DOH to DCA. Due to the additional physical facility requirements contained in the rules, plan review by the Department is still required for residential health care facilities not located with licensed health care facilities.

All officials are directed to contact the DCA when any question regarding plan review jurisdiction arises or for help in determining jurisdiction. Inquiries should be directed to the Health Care Plan Review Unit at (609) 633-8151 or to the Bureau of Construction Project Review at (609) 984-7850. All correspondence should be mailed to Department of Community Affairs Health Care Plan Review, Post Office Box 815, Trenton, New Jersey 08625-0815 or sent by courier to 101 South Broad Street, 4th Floor, Trenton, New Jersey 08608.